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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by the Office of State Publishing.

TITLE 2. COUNCIL ON DEVELOPMENTAL DISABILITIES

NOTICE OF INTENTION TO AMEND THE CONFLICT-OF-INTEREST CODE

NOTICE IS HEREBY GIVEN that the State Council on Developmental Disabilities pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its Conflict-of-Interest Code. The purpose of these amendments is to implement the requirements of sections 87300 through 87302, and section 87306 of the Government Code.

The State Council on Developmental Disabilities proposes to amend its Conflict-of-Interest Code to include Council and Area Board members and employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code.

This amendment would conform the State Council on Developmental Disabilities Conflict-of-Interest Code with the new organizational changes mandated by SB 1630 (Chapter 676-2002) which merges the State Council on Developmental Disabilities and the Area Boards On Developmental Disabilities, by adding new organizational positions such as Deputy Directors, the Area Boards Executive Directors to the list of designated employees positions who will be required to file statements of economic interest as designated. It also makes other technical changes to reflect the current organizational structure of the Agency. Copies of the amended code are available and may be requested from the Contact Person set forth below.

Any interest person may submit written statements, arguments, or comments relating to the proposed amendments by submitting them in writing no later than May 10, 2003 or at the conclusion of the public hearing, if requested, whichever comes later, to the Contact Person set forth below.

At this time, no public hearing has been scheduled concerning the proposed amendments. If any interested person or the person's representative requests a

public hearing, he or she must do so no later than April 25, 2003 by contacting the Contact Person set forth below.

The State Council on Developmental Disabilities has prepared a written explanation of the reasons for the proposed amendments and has available the information on which the amendments are based. Copies of the proposed amendments, the written explanation of the reasons, and the information on which the amendments are based may be obtained by contacting the Contact Person set forth below.

The State Council on Developmental Disabilities has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

In making these proposed amendments, the State Council on Developmental Disabilities has determined that no alternative considered by the agency would be more effective in carrying out the purpose for which the amendments are proposed or would be as effective and less burdensome to affected persons than the proposed amendments.

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to:

Karim AlipourFard
2000 O Street, Suite 100
Sacramento, Ca. 95814
(916) 322-5550
Kailopour@dss.ca.gov

TITLE 18. BOARD OF EQUALIZATION

NOTICE IS HEREBY GIVEN

The State Board of Equalization, pursuant to the authority vested in the Board by section 15606, subdivision (c) of the Government Code, and as a result of a petition from Mr. Gary W. Maeder of Heller Ehrman White & McAuliffe LLP, proposes to amend section 462.180, "Change in Ownership—Legal Entities," in Title 18, Division 1, of the California Code of Regulations (Property Tax Rule 462.180). A public

hearing on the amended regulation will be held in Room 121, 450 N Street, Sacramento, at 9:30 p.m., or as soon thereafter as the matter may be heard, on May 28, 2003. Any person interested may present statements or arguments orally at that time and place. Written statements or arguments will be considered by the Board if received by May 28, 2003.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

1. Rule 462.180 is proposed to be amended in order to clarify that limited liability companies (LLCs) should be included in subsection (d)(1)(B) which provides that partnership interests are to be treated as capital and profits interests. In conformity with the Board staff's Annotated Legal Opinion No. 220.0375 dated April 15, 1998, and in subsequent opinions thereafter, the legal staff concluded that for purposes of change in ownership and control, members' ownership interests in a limited liability company are measured by the members' capital and profits interests—the same method of measuring partners' capital and profits interests in partnerships. This measurement standard is necessary in order to determine 1) when more than 50 percent of the capital and profits have transferred in a change in control or ownership under Revenue and Taxation Code section 64, subdivisions (c) or (d), and 2) when a transfer of capital and profits interests is proportional and thus excluded from change in ownership under section 62(a)(2). Rule 462.180, subdivision (d) "Exceptions," paragraph (1) "Control" would expressly state in subparagraph (B) that, a change in control is obtained "through multi-tiering, reorganization or any transfer of direct or indirect ownership or control of more than 50 percent of the voting stock in any corporation which is not a member of the same affiliated group of corporations as described in (b)(1) direct or indirect ownership of more than 50 percent of the total interest in partnership or LLC capital and more than 50 percent of the total interest in partnership or LLC profits."
2. Rule 462.180, subdivision (d) "Exceptions," paragraph (2) Transfers of More Than 50 Percent," is proposed to be amended by adding an example in order to clarify that there is no attribution of stock, partnership, LLC, or other legal entity interests between spouses. In conformity with Letters to Assessors No. 83/17 and No. 85/33 and Rule 462.220, a husband and wife holding community property interests in a corporation, partnership, LLC or other legal entity are to be considered separate individuals, each owning 50% of the interests in the entity.

A new Example 7 is proposed to be added, in order to demonstrate the non-attribution principle. The new Example 7 would state that spouses acquiring 100% of the interests in a corporation, partnership or LLC as community property owned by shareholders, partners or members who are not original coowners, are each deemed to own only their community property share, or 50% of the shares or capital and profits interests, and, therefore, the transfer does not result in a change in ownership or control as defined in subdivision (c) and Revenue and Taxation Code section 64(a).

3. The current Example 7 would be renumbered as "Example 8;" Example 8 would be renumbered as "Example 9;" Example 9 would be renumbered as "Example 10" and Example 10 would be renumbered as "Example 11."

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The State Board of Equalization has determined that the proposed amendments of Rule 462.180 does not impose a mandate on local agencies or school districts. Further, the Board has determined that the proposed amendments will not result in direct or indirect cost or savings to any State agency, any cost to local agencies or school districts that are required to be reimbursed under Part 7 (commencing with § 17500) of Division 4 of Title 2 of the Government Code, or other non-discretionary cost or savings imposed on local agencies, or cost or savings in federal funding to the State of California.

EFFECT ON BUSINESS

Pursuant to Government Code section 11346.5, subdivision (a)(8), the Board of Equalization makes an initial determination that the proposed amendments will not have a significant statewide adverse economic impact directly affecting business.

The proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses nor create or expand business in the State of California.

The proposed amendments will not be detrimental to California businesses in competing with businesses in other states.

The proposed amendments will not affect small business because the proposed amendments and the proposed rule only clarify existing interpretations of statute.

COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action as it has long been historical policy.

SIGNIFICANT EFFECT ON HOUSING COSTS
No significant effect.

FEDERAL REGULATIONS

Rule 462.180 has no comparable Federal regulation.

AUTHORITY

Government Code section 15606, subdivision (c).

REFERENCE

Revenue and Taxation Code sections 60, 61, 62, 63 and 64.

CONTACT

Questions regarding the substance of the proposed amendments and the proposed rule should be directed to Mr. Lou Ambrose, Supervising Tax Counsel, Property Tax Section, telephone (916) 445-5580, fax (916) 323-3387, email Lou.Ambrose@boe.ca.gov or by mail to the State Board of Equalization, Attn: Mr. Lou Ambrose, MIC: 82, P.O. Box 942879, 450 N Street, Sacramento, CA 94279-0082.

The Board will consider comments on the proposed amendments and the proposed rule if received by May 28, 2003. Written comments for the Board's consideration, notice of intent to present testimony or witnesses, and inquiries concerning the proposed administrative action should be directed to Ms. Diane Olson, Regulations Coordinator, telephone (916) 322-9569, fax (916) 324-3984, email Diane.Olson@boe.ca.gov or to Ms. Joann Richmond, Property Taxes Analyst, telephone (916) 322-1931, email Joann.Richmond@boe.ca.gov or by mail to the State Board of Equalization, Attn: Diane Olson or Joann Richmond, MIC: 80, P.O. Box 942879, Sacramento, CA 94279-0080.

ALTERNATIVES CONSIDERED

The Board must determine that no reasonable alternative considered by it or that has been otherwise identified and brought to its attention would be more effective in carrying out the purpose for which this action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AVAILABILITY OF INITIAL STATEMENT
OF REASONS AND TEXT OF
PROPOSED REGULATION

The Board has prepared initial statements of reasons and underscored versions (express terms) of the proposed amendments. This document and all information on which the proposals are based are available to the public upon request. The rulemaking file is available for public inspection at 450 N Street, Sacramento, California. Requests for copies should be addressed to Ms. Diane Olson, Regulations Coordinator, (916) 322-9569, at P.O. Box 942879, 450 N Street,

Sacramento, CA 94279-0080. The express terms of the proposed amendments are available on the Internet at the Board's website <http://www.boe.ca.gov>.

AVAILABILITY OF FINAL
STATEMENT OF REASONS

Final statements of reasons will be made available on the Internet at the Board's website following its public hearing of the proposed amendments. The final statements of reasons are also available for public inspection at the State Board of Equalization, 450 N Street, Sacramento, California.

ADDITIONAL COMMENTS

Following the hearing, the State Board of Equalization may, in accordance with law, adopt the proposed amendments if the text remains substantially the same as described in the text originally made available to the public. If the State Board of Equalization makes modifications which are substantially related to the originally proposed text, the Board will make the modified text, with the changes clearly indicated, available to the public for fifteen days before adoption of the amendments and the rule. The text of the modified rule(s) will be mailed to those interested parties who commented on the proposed regulatory action orally or in writing or who asked to be informed of such changes. The modified rule(s) will be available to the public from Ms. Olson, The State Board of Equalization will consider written comments on the modified rule(s) for fifteen days after the date on which the modified rule(s) is made available to the public.

**TITLE 27. CALIFORNIA
ENVIRONMENTAL
PROTECTION AGENCY**

NOTICE OF PROPOSED RULEMAKING

PROPOSED REGULATORY ACTION

Notice is hereby given that the Secretary of the California Environmental Protection Agency (Cal/EPA) proposes to adopt regulations; after considering all comments, objections, and recommendations, describing how Environmental Enforcement and Training grants as authorized under the Environmental Enforcement and Training Act of 2002 (Stats. 2002, c. 1000) will be allocated and awarded.

PUBLIC HEARING

The Secretary of Cal/EPA has not scheduled a public hearing on the proposed regulations. Interested parties may request a public hearing by submitting a request, in writing, no later than **May 11, 2003**, as authorized pursuant to Section 11346.8 of the Government Code. The request should be addressed to the

Agency Contact Person identified below, and should state that a public hearing is being requested for the Environmental Enforcement and Training Grant Program regulations.

WRITTEN PUBLIC COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Cal/EPA Office of the Secretary. Written comments will be accepted by the Agency **until 5:00 p.m. on May 26, 2003**. Cal/EPA will consider only comments received by that time. Submit comments to:

Ms. Carol Monahan
Assistant General Counsel
California Environmental Protection Agency
Office of the Secretary
1001 I Street, 24th Floor
Sacramento, CA 95814

Comments may also be e-mailed to cmohan@calepa.ca.gov or faxed to (916) 319-7864.

To be added to the mailing list for this rulemaking, and to receive notification of updates of this rulemaking, please leave a message at (916) 322-2935.

AUTHORITY AND REFERENCE

Statutes of 2002, Chapter 1000, section 4, referred to as the Environmental Enforcement and Training Act of 2002, amends Penal Code section 14300 et. Seq. and requires the Secretary of Cal/EPA to adopt regulations to implement, interpret and make specific Penal Code section sections 14300 through and including section 14315.

The adoption of these Regulations is necessary to carry out the express provisions of the statute requiring the Secretary of Cal/EPA to develop selection criteria and procedures for applying Environmental Enforcement and Training Act Grants.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Pursuant to the Environmental Enforcement and Training Act of 2002 and Penal Code Section 14300 et seq., the Secretary of Cal/EPA is authorized to allocate funds and award project grants from funds deposited into the Environmental Enforcement and Training Account. For this purpose, the Secretary of Cal/EPA is authorized to request an annual appropriation of up to two million dollars (\$2,000,000) from funds available in the account.

The proposed regulations will implement, interpret or make specific how grants to support statewide enforcement of environmental laws, education, and training programs for peace officers, investigators, firefighters, state and local environmental regulators, and public prosecutors will be allocated and awarded. The proposed regulations describe the procedures for

applying for the grants, the criteria to be used in determining which applications will be funded, and the administrative and fiscal requirements governing the receipt and expenditure of the grant funds in accordance with the Act.

Other Matters Prescribed by Statutes Applicable to Cal/EPA and the Commission On Peace Officer Standards And Training (POST): To ensure that programs are coordinated with existing peace officer training, the Secretary of Cal/EPA is required by Penal Code section 14301(c) to consult with the Commission on Peace Officer Standards and Training (POST) prior to the allocation of funds to peace officer education and training programs.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Secretary of Cal/EPA has made the following determination:

Mandate on Local Agencies and School District: None

Costs to Any Local Agency or School District which Must Be Reimbursed in Accordance with Government Code Sections 17500 Through 17630: None

Costs or savings to State Agencies: The Secretary has determined that the proposed regulations explaining the procedures and processes the Agency will use in awarding grants under the Environmental Enforcement and Training Grant Program will have minimal, if any, fiscal or economic impact on state agencies. Failure to adopt the regulations would result in the inability of the Agency to provide grant funding under the program.

Other Nondiscretionary Cost or Saving Imposed on Local Agencies: None

Costs or Savings in Federal Funding to the State: None

This Grant Program Will Be Administered with Existing Resources: No other costs are associated with this grant program.

Significant Statewide Adverse Economic Impact Directly Affecting Business Including the Ability of California Businesses to Compete with Businesses in Other States: None

Potential Cost Impact on Private Persons or Directly Affected Businesses: The Secretary of Cal/EPA is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed regulations.

Potential Creation or Elimination of Jobs or Businesses: Adoption of these regulations will not (1) create or eliminate jobs within California; (2) create

new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.

Potential Effect on Small Businesses: The Secretary of Cal/EPA has determined that the Environmental Enforcement and Training Grant Program will not affect small businesses because these regulations do not directly regulate small businesses. The new regulations apply to the distribution of environmental enforcement grants supporting training and enforcement activities.

Significant Effect On Housing Costs: None

CONSIDERATION OF ALTERNATIVES

The Secretary must determine that no reasonable alternative considered by the Secretary, or that has otherwise been identified and brought to the attention of the Secretary, would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to the affected public than the proposed regulations.

CONTACT PERSONS

Inquiries concerning the proposed regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to:

Ms. Carol Monahan
Assistant General Counsel
California Environmental Protection Agency
Office of the Secretary
1001 I Street, 24th Floor
Sacramento, CA 95814
Telephone: (916) 322-3638

The backup contact person for these inquiries is:

Ms. Lisa Brown
Assistant Secretary for Enforcement
California Environmental Protection Agency
Office of the Secretary
1001 I Street, 25th Floor
Sacramento, CA 95814
Telephone: (916) 327-2064

PLAIN ENGLISH REQUIREMENTS

See the Informative Digest above for a plain English discussion of the objectives of the Environmental Enforcement and Training Grant Program as established by the Environmental Enforcement and Training Act of 2002. The express terms, or the text of the Environmental Enforcement and Training Grant Program regulations written in plain English are available from the agency contact person named above.

AVAILABILITY OF STATEMENT OF REASONS, AND TEXT OF PROPOSED REGULATIONS

The initial Statement of Reasons, the Informative Digest included in this Notice of Proposed Action and the text ("express terms") of the Proposed Regulations have been prepared and are available without charge from the contact person listed in this Notice. A copy of the entire rulemaking file is available for inspection and copying throughout the rulemaking process at the Office of the Secretary of Cal/EPA at the above address during normal business working hours. As of the date this notice is published in the Notice Register, the rulemaking file consists of this Notice, the proposed text of the regulation, and the initial Statement of Reasons. Copies may be obtained by contacting Carol Monahan at the address or via e-mail at cmonahan@calepa.ca.gov. The documents relating to this proposed action may be found on the Cal/EPA website at <http://www.calepa.ca.gov>

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After consideration of all timely and relevant comments received, the Secretary of Cal/EPA may adopt the proposed regulations substantially as described in this Notice. If the Secretary makes modifications which are sufficiently related to the original proposed text, the modified text—with changes clearly indicated—will be made available to the public for at least 15 days before the Secretary adopts the regulation as revised. Any such modifications will also be posted on the Cal/EPA website at <http://www.calepa.ca.gov>. Please send requests for copies of any modified regulations to the attention of Carol Monahan at the address indicated above. The Secretary will accept written comments on the modified regulation for 15 days after the date on which they are made available.

AVAILABILITY OF FINAL STATEMENT OF REASONS

Once the Secretary of Cal/EPA has prepared a Final Statement of Reasons, a copy will be made available to anyone who requests a copy by contacting Carol Monahan at the above address or it may be accessed at <http://www.calepa.ca.gov>.

TITLE 27. CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

DRAFT NOTICE OF PROPOSED RULEMAKING

The California Environmental Protection Agency (Cal/EPA) proposes to adopt the proposed regulations

described below after considering all comments, objections, and recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

Notice is hereby given that Cal/EPA proposes to adopt regulations authorized under Public Resource Code section 71116 to describe how Environmental Justice Small Grant Program funds are to be allocated and awarded as authorized under the Environmental Justice Small Grant Program. (Stats. 2002, c. 994)

PUBLIC HEARING

The Cal/EPA Office of the Secretary has not scheduled a public hearing on the proposed action. Interested parties may request a public hearing by submitting a request in writing, no later than May 11, 2003, as authorized pursuant to Section 11346.8 of the Government Code. Such request should be addressed to the Authority Contact Person identified below and should specify the Environmental Justice Small Grant Program for which the hearing is being requested.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to Cal/EPA. The written comment period closes at 5:00 p.m. on May 26, 2003. Cal/EPA will only consider comments received by that time. Submit comments to:

Mr. Romel Pascual, Asst. Secretary for
Environmental Justice
California Environmental Protection Agency
Office of the Secretary
1001 I Street
P.O. Box 2815
Sacramento, CA 95812

Comments may also be e-mailed to
envjust@calepa.ca.gov

AUTHORITY AND REFERENCE

Penal Code Section 71116 authorizes Cal/EPA to adopt the proposed regulations, which would implement, interpret, or make specific section 71116 of the Public Resource Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Pursuant to Section 71116 of the Public Resource Code, the Agency is authorized to award project grants that address environmental justice issues. For this purpose, the Agency is authorized to allocate a minimum of (maximum of twenty thousand dollars (\$20,000) and a minimum of five thousand dollars (\$5,000) for each project.

The proposed regulations will implement, interpret and specify how grants funded to support projects that address environmental justice shall be allocated or awarded. The regulations will describe the procedures for applying for the EJ Small Grant Program, the criteria to be used in determining which applications will be funded and the administrative and fiscal requirements governing the receipt and expenditure of the grants in accordance to the Public Resource Code section 71116.

TEXT OF REGULATIONS AND STATEMENT OF REASONS AVAILABLE

Cal/EPA has prepared an initial Statement of Reasons for the proposed regulations, in addition to the informative digest included in this Notice of Proposed Action and Notice of Public Hearing. The express terms of the proposed regulations as contained in the Agency's filing, the Notice of Proposed Action and Notice of Public Hearing and the Initial Statement of Reasons will be made available for review or provided without charge upon written request to the contact person for these hearings. The filing may be accessed on the Agency's website at www.calepa.ca.gov in the environmental justice section.

DISCLOSURES REGARDING THE PROPOSED ACTION

Cal/EPA has made the following initial determinations:

Mandate on local agencies and school districts: None.

Costs or savings to State Agencies: The Secretary has determined that the proposed regulations explaining the procedures and processes the Agency will use in awarding grants under the Environmental Enforcement and Training Grant Program will have minimal, if any, fiscal or economic impact on state agencies. Failure to adopt the regulations would result in the inability of the Agency to provide grant funding under the program.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 71630: None.

Other nondiscretionary cost or savings imposed on local agencies: None.

Cost or savings in federal funding to the state: None.

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.

Cost impacts on a representative private person or businesses: Cal/EPA is not aware of any cost impacts that a representative private person or

business would necessarily incur in reasonable compliance with the proposed action.

Adoption of these regulations will not:

- (1) create or eliminate jobs within California;
- (2) create new businesses or eliminate existing businesses within California; or
- (3) affect the expansion of businesses currently doing business within California.

Significant effect on housing costs: None.

EFFECT ON SMALL BUSINESS

The Secretary of Cal/EPA has determined that the Environmental Justice Small Grant Program will not affect small businesses because these regulations do not directly regulate small businesses. The new regulations apply to the distribution of environmental justice grants that fund projects addressing environmental justice issues.

CONSIDERATION OF ALTERNATIVES

These regulations are necessary to implement the Environmental Justice Small Grant Program (Public Resource Code, Section 71116) that will establish grant funding to projects that address environmental justice issues. No other alternative or grant program authorized under statute exists to fulfill the objectives outlined in this Grant Program.

Cal/EPA invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Romel Pascual, Assistant Secretary for

Environmental Justice
California Environmental Protection Agency
1001 I Street
P.O. Box 2815
Sacramento, CA 95812
Telephone: (916) 324-8425

The backup contact persons for these inquiries are:

Juan Aquino

California Environmental Protection Agency
1001 I Street
P.O. Box 2815
Sacramento, CA 95812
Telephone: (916) 445-1190

Malinda Hall

California Environmental Protection Agency
1001 I Street
P.O. Box 2815
Sacramento, CA 95812
Telephone: (916) 445-9480

Questions on the substance of the proposed regulations may be directed to Mr. Pascual, Mr. Aquino or Ms. Hall.

Please direct requests for copies of the proposed text (the "express terms") of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to Mr. Pascual at the above address.

**AVAILABILITY OF STATEMENT OF REASONS
AND TEXT OF PROPOSED REGULATIONS**

Cal/EPA will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at the above address during normal business hours. As of the date this notice is published in the Notice Register, the rulemaking file consists of this Notice, the proposed text of the regulations and the Initial Statement of Reasons. Copies may be obtained by contacting Romel Pascual at the address or phone number listed above.

**AVAILABILITY OF CHANGED
OR MODIFIED TEXT**

After holding the hearing and considering all timely and relevant comments received, Cal/EPA may adopt the proposed regulations substantially as described in this notice. If Cal/EPA makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before Cal/EPA adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Romel Pascual at the address indicated above. Cal/EPA will accept comments on the modified regulations for 15 days after the date on which they are made available.

**AVAILABILITY OF FINAL
STATEMENT OF REASONS**

Cal/EPA is required to prepare a Final Statement of Reasons. Once the Agency has prepared a Final Statement of Reasons, a copy will be available upon request. Requests for copies should be made to Romel Pascual at the address indicated above.

**AVAILABILITY OF DOCUMENTS
ON THE INTERNET**

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through our website at www.calepa.ca.gov/EnvJustice/.

GENERAL PUBLIC INTEREST

**DEPARTMENT OF
HEALTH SERVICES**

NOTICE OF GENERAL PUBLIC INTEREST

**DISPROPORTIONATE SHARE HOSPITAL
PAYMENT ADJUSTMENT PROGRAM
FOR INPATIENT SERVICES**

This public notice provides information of public interest with respect to the determination of Medi-Cal payments for inpatient hospital services. The Department of Health Services intends to submit an amendment to the California Medicaid State Plan that establishes a payment limitation to mental health facilities. State Plan Amendment 03-014 will serve as the basis for establishing a payment limitation to mental health facilities, as required by Section 1396r-4(h) of Title 42 of the United States Code. This amendment, if approved by CMS, will be effective for the 2001-02 DSH payment adjustment year, and each subsequent payment adjustment year.

This amendment sets a specified limit on the aggregate payment adjustment amount for mental health facilities, which shall not exceed the lesser of \$1,562,298 or 0.071% of the total disproportionate share hospital allotment for the particular adjustment year.

Copies of the modifications discussed above may be requested by writing to Mr. Roberto B. Martinez, Chief, Medi-Cal Policy Division, Department of Health Services, 714 P Street, Room 1550, Sacramento, CA 95814.

Interested parties have the opportunity to comment in writing on the changes described herein. Any written statements or comments must be received by Rate Development Branch, Department of Health Services, 714 P Street, Room 1550, Sacramento, CA 95814 by May 26, 2003.

**CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

**SAFE DRINKING WATER AND TOXIC
ENFORCEMENT ACT OF 1986
(PROPOSITION 65)**

NOTICE OF INTENT TO LIST CHEMICALS

The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) provides two mechanisms for administratively listing chemicals which are known to the State to cause cancer or reproductive

toxicity (Health and Safety Code Section 25249.8(b)). One such mechanism by which a chemical may be listed is if a body considered to be authoritative by the state's qualified experts has formally identified it as causing cancer or reproductive toxicity. The following are identified as authoritative bodies for purposes of Proposition 65 as it pertains to chemicals known to cause reproductive toxicity: the U.S. Environmental Protection Agency, the International Agency for Research on Cancer (solely as to transplacental carcinogenicity), the U.S. Food and Drug Administration, the National Institute for Occupational Safety and Health, and the National Toxicology Program (NTP) (solely as to final reports of NTP's Center for Evaluation of Risks to Human Reproduction). The criteria for listing chemicals through the authoritative bodies mechanism are set forth in Title 22, California Code of Regulations (22 CCR), Section 12306.

As the lead agency for the implementation of Proposition 65, the Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental Protection Agency intends to list *di(2-ethylhexyl) phthalate* as known to the State to cause reproductive toxicity, pursuant to this administrative mechanism as provided in Health and Safety Code Section 25249.8(b) and 22 CCR, Section 12306.

Relevant information on *di(2-ethylhexyl) phthalate* was requested in a notice published in the *California Regulatory Notice Register* on December 4, 1998 (Register 98, No. 49-Z). A public forum was held on January 11, 1999. OEHHA has determined that *di(2-ethylhexyl) phthalate* meets the criteria for listing under 22 CCR, Section 12306, and therefore is issuing a notice of intent to list *di(2-ethylhexyl) phthalate* under Proposition 65. A document providing more detail on the basis for the listing of this chemical can be obtained from OEHHA's Proposition 65 Implementation Office at the address and telephone number indicated below, or from the OEHHA Web site at: <http://www.oehha.ca.gov/>. Anyone objecting to the listing of *di(2-ethylhexyl) phthalate* as causing reproductive toxicity on the basis that there is no substantial evidence that the criteria for sufficiency of evidence as causing reproductive toxicity specified in 22 CCR, Section 12306 have been satisfied should provide written comments in triplicate, along with supporting documentation, by mail or by fax to:

Ms. Cynthia Oshita
Office of Environmental Health Hazard Assessment
Street Address: 1001 I Street
Sacramento, California 95814
Mailing Address: P.O. Box 4010
Sacramento, California 95812-4010
Fax No.: (916) 323-8803
Telephone: (916) 445-6900

Comments may also be hand-delivered to Ms. Oshita at the Office of Environmental Health Hazard Assessment at the same address.

In order to be considered, comments must be postmarked (if sent by mail) or received at OEHHA (if hand-delivered or sent by FAX) by 5:00 p.m. on Monday, May 12, 2003.

The following chemical has been determined by OEHHA to meet the criteria set forth in 22 CCR, Section 12306 for listing as causing reproductive toxicity under the authoritative bodies mechanism:

Chemical	CAS No.	Toxicological Endpoint	Reference
<i>Di(2-ethylhexyl) phthalate</i>	117-81-7	Developmental and male reproductive toxicity	NIOSH (1990) US FDA (2001)

REFERENCES

National Institute for Occupational Safety and Health (NIOSH, 1990). *NIOH and NIOSH basis for an Occupational Health Standard: Di(2-ethylhexyl) phthalate (DEHP)*. U.S. Department of Health and Human Services. Public Health Service. Centers for Disease Control. NIOSH.

US Food and Drug Administration (US FDA, 2001). Safety Assessment of Di(2-ethylhexyl)phthalate (DEHP) Released from PVC Medical Devices. Centers for Devices and Radiological Health. U.S. Food and Drug Administration. Rockville, MD.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

SAFE DRINKING WATER AND TOXIC
ENFORCEMENT ACT OF 1986
(PROPOSITION 65)

NOTICE TO INTERESTED PARTIES

Request for Information on Perchlorate (ClO₄), a Chemical to be Considered by OEHHA's Science Advisory Board's Developmental and Reproductive Toxicant (DART) Identification Committee

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) is the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65). The Developmental and Reproductive Toxicant (DART) Identification Committee of OEHHA's Science Advisory Board advises and assists OEHHA in compiling the list of chemicals known to the State to cause reproductive toxicity, which is mandated by Health and Safety Code Section 25249.8.

The Committee serves as the "State's qualified experts" for rendering an opinion whether a chemical has been clearly shown through scientifically valid testing according to generally accepted principles to cause reproductive toxicity.

At its December 4, 2002 meeting, the DART Identification Committee considered a petition that the possible listing of perchlorate under Proposition 65 be expedited. The DART Identification Committee recommended that perchlorate be removed from the general prioritization process for chemicals, that it be identified as a high priority candidate for DART Identification Committee consideration, and that OEHHA prepare a hazard identification document as resources permitted.

In accordance with OEHHA's process for preparing information on candidate chemicals for review by the State's qualified experts, OEHHA will review the available literature and data on perchlorate and develop a hazard identification document based on the evidence of its developmental or reproductive toxicity. The DART Identification Committee will consider the hazard identification document before rendering an opinion whether perchlorate has been clearly shown through scientifically valid testing according to generally accepted principles to cause reproductive or developmental toxicity.

Interested parties or members of the public wishing to provide information relevant to an assessment of the reproductive and developmental toxicity of perchlorate should forward such information to the address given below. The publication of this notice marks the start of a 60-day data call-in period. This period ends on **Tuesday, June 10, 2003**. The information received during this data call-in period will be reviewed and considered by OEHHA as it develops the draft hazard identification document on the reproductive and developmental toxicity of perchlorate.

OEHHA welcomes public participation and public input as part of these scientific assessments. If there is sufficient public interest, a public workshop or other public forum will be held to encourage scientific dialogue prior to completion of the draft hazard identification document.

Notification of the availability of the draft hazard identification document and of the time, date, location, and agenda of any workshop and of the meeting of the DART Identification Committee at which perchlorate will be discussed will be provided in future notices published in the California Regulatory Notice Register and posted on OEHHA's Home Page at www.oehha.ca.gov. The draft hazard identification document will be made available for public comment prior to the committee meeting at which the chemical is considered.

Relevant information on perchlorate should be sent in triplicate by mail or fax to:

Cynthia Oshita
Office of Environmental Health Hazard Assessment
Proposition 65 Implementation
P.O. Box 4010
1001 I Street, 19th floor
Sacramento, California 95812-4010
FAX: (916) 323-8803
Telephone: (916) 445-6900

Relevant information may also be delivered in person or by courier to the above address. In order to be considered, the relevant information must be postmarked (if sent by mail) or received at OEHHA (if hand-delivered or sent by FAX) by 5:00 p.m. on **Tuesday, June 10, 2003.**

RULEMAKING PETITION DECISIONS

DEPARTMENT OF CORRECTIONS

NOTICE OF DECISION ON PETITION TO AMEND REGULATIONS

PETITIONER

Eliane Ayala, Elena Ayala, Enrique Ayala, Giselle Ayala, Jorge Ayala, Lupe Ayala, Maria Ayala, Sergio Ayala, Jr., Martin Bernospe, Irene Clark, Brian Diaz, Mrs. Gary Fensley, Carla Jenkins, Jacob Maine, Gretchen Martin, Cynthia McGill, Alfredo Perez, Gerry Reyburn, Ralph Reyburn, Craig Roberson, Seth Jay Roberson, Sierra Roberson, Susan Roberson, Lelia Salas, Amade Santiago, Amade Santiago III, Lianna Santiago, Tamika Santiago, Johnny, Katin and Robert [last names illegible], and seven illegible names.

AUTHORITY

Under authority established in Penal Code (PC) § 5058, the Director may prescribe and amend regulations for the administration of prisons. PC § 5054 vests with the Director the supervision, management and control of the prisons, and the responsibility for the care, custody, treatment, training, discipline, or employment of persons confined therein.

CONTACT PERSON

Please direct any inquiries in writing regarding this action to Rick Grenz, Chief, Regulation and Policy Management Branch, Department of Corrections, PO Box 942883, Sacramento, CA 94283-0001, or by telephone at (916) 322-9702.

AVAILABILITY OF PETITION

The petition for adoption of the regulations is available upon request directed to the Department's contact person.

SUMMARY OF PETITION

Petitioner requests the Department of Corrections (CDC) "delete" and "rewrite" regulations contained in the California Code of Regulations (CCR), Title 15, Division 3, Subchapter 2, Article 7, § 3174(e)(2), which specifies that family visits will not be permitted for inmates who have been sentenced to life, designated Close A or Close B custody, condemned, assigned to a reception center, assigned to an Administrative Segregation (AD SEG) or Security Housing (SHU) unit, designated "C" status, guilty of one or more Division A or B offenses within the last twelve months, or guilty of narcotics trafficking while incarcerated. As "rewritten," the regulation would stipulate that family visits for the described classes of inmates would be permitted on a "case-by-case" basis. Petitioner states that the regulation, as currently written, serves no reasonable penological interest and punishes several classes of inmates in direct conflict to the Department's stated recognition of the value of visiting as a method of maintaining family relationships.

DEPARTMENT DECISION

The Director of Corrections denies the petition to delete this existing regulation or amend the rule to provide any class of inmates described in § 3174(e), case-by-case consideration for family visiting privileges. Without new statute, case law, or changes in the policies of other public agencies that would compel the regulatory changes requested, CDC lacks the legal or discretionary authority to voluntarily make the changes requested. Moreover, a number of the named classes, and specifically those under close custody, assigned to AD SEG or SHU, designed C status, or guilty of certain offenses, already receive "case-by-case" reconsideration for family visiting once their status changes.

The rules at issue were promulgated in 1995 and have survived court challenges and prior Administrative Procedure Act petitions. In these challenges an appellate court upheld the penological basis of the rules: "The protection of the safety of the public—particularly those family members who would be visiting these inmates in an unsupervised setting—is a legitimate interest that state prison officials may consider when determining which inmates may participate in the family visiting program."

Regarding inmates condemned or sentenced to life, CDC does not establish such sentences and it has no ability to compel the Board of Prison Terms, a separate organizational entity of the Youth and Adult Correc-

tions Agency, to establish parole dates. Nor can CDC be party to deletion of this rule in order to circumvent the Board's authority over the establishment of parole dates for specific inmates. As articulated by the Governor as recently as last year, expanding eligibility for unsupervised overnight visits would create a serious inconsistency in the current security practices enforced for life prisoners.

All of the remaining "classes of inmates" covered by this regulation are not necessarily denied family visiting opportunities on a permanent basis. Their eligibility for such visits depends on institutional assignment, conduct, time frames, positive programming, rules violation clarifications and other such factors evaluated by classification committees on a case-by-case basis in accordance with other regulations contained in the Director's Rules. Therefore, these inmates already receive "case-by-case" consideration for restoration of family visiting privileges, if otherwise eligible.

Finally, the value of visiting as a means of maintaining family relationships has actually been reaffirmed recently with the revision of inmate visiting regulations, consistent with legislation chaptered in the previous session (AB 2133). CDC's preferred text for § 3170(a) was: "The value of visiting is recognized and encouraged as a means for an inmate to establish and maintain meaningful family and community relationships." Revisions in § 3170(a) consistent with AB 2133 have been approved by the Office of Administrative Law (OAL) and will be effective March 20. The inmate exceptions to family visiting contained in § 3174(e) are legitimate and warranted as discussed above and therefore do not represent a repudiation or inconsistency in policy with AB 2133 as the petitioner suggests. Moreover, as reflected above, no such conflict was found by OAL in its review of the relevant regulatory change.

Therefore, for the reasons cited, and pending other action by the Governor, Legislature, or Courts the Department disagrees with the need for the regulatory change. Accordingly, the petition is denied.

DECISION NOT TO PROCEED

TECHNOLOGY, TRADE AND COMMERCE AGENCY

NOTICE OF DECISION NOT TO PROCEED

Pursuant to Government Code Section 11347, notice is hereby given that the California Technology, Trade and Commerce Agency has decided not to proceed with the amendment of Sections 5600 and 5618-5621 of Title 10, Chapter 7.8, of the California

Code of Regulations, regarding enterprise zone audits, extensions and expansions, and therefore, withdraws this proposed action for further consideration.

This notice of proposed rulemaking was published in the California Regulatory Notice Register on June 28, 2002, Notice File No. Z-02-0618-02.

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

CALIFORNIA ENERGY COMMISSION Appliance Efficiency

This emergency regulatory action amends the Commission's appliance efficiency regulations.

Title 20
California Code of Regulations
AMEND: 1601, 1602, 1603, 1604, 1605.1, 1605.3,
1606, 1607, 1608
Filed 04/01/03
Effective 04/01/03
Agency Contact: Jonathan Blees (916) 654-3953

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD Waste tire Facility Permitting and Storage Regulations

This rulemaking action amends existing waste tire facility permitting and storage regulations and adds regulatory enforcement criteria for permitted and unpermitted waste tire facilities.

Title 14
California Code of Regulations
ADOPT: 17225.710, 17225.717, 1225.720,
17225.725, 17225.750, 17225.755, 17225.760,
17225.770, 17225.795, 17225.800, 17225.820,
18478.5, 18494.5, 18499.1, 18499.2, 18499.3,
18499.4, 18499.5, 18499.6., 18499.7, 18499.8,
18499.9 AMEND: 17225.715, 17350, 173
Filed 04/01/03
Effective 05/01/03
Agency Contact: Jody Feldman (916) 341-6755

DEPARTMENT OF CONSERVATION**Quality Glass Incentive payments**

The regulatory action is the Certificate of Compliance for the emergency regulatory action that dealt with quality glass incentive payments. (Prior OAL files 02-0315-01E, 02-0711-01EE and 02-1106-01EE.)

Title 14

California Code of Regulations

AMEND: 2090, 2105, 2420, 2425, 2530, 2690 and renumber 2690 to 2850

Filed 04/01/03

Effective 04/01/03

Agency Contact: Marty Nold (916) 327-2761

DEPARTMENT OF CORPORATIONS**Broker-Dealer Applications**

In this regulatory action, the Department of Corporations amends its regulations pertaining to applications for broker-dealer certificates under Corporations Code section 25211 (including providing for accepting Form BD, the Uniform Application for Broker-Dealer Registration, through the Central Registration Depository).

Title 10

California Code of Regulations

AMEND: 260.211, 260.211.1

Filed 03/27/03

Effective 04/26/03

Agency Contact: Kathy Womack (916) 322-5824

DEPARTMENT OF FOOD AND AGRICULTURE**List of Reportable Conditions**

This action implements Food and Agriculture Code section 9101 which requires the Department to establish procedures for the selection of "conditions" that pose or may pose significant threats to the public health, animal health, the environment, and the food supply; and the method of preparation and publication for the List of Reportable Conditions for Animals and Animal Products.

Title 3

California Code of Regulations

ADOPT: 797

Filed 03/26/03

Effective 03/26/03

Agency Contact: Nancy Grillo (916) 651-7280

DEPARTMENT OF FOOD AND AGRICULTURE**Mexican Fruit Fly Interior Quarantine**

This Certificate of Compliance establishes a quarantine area for hosts of Mexican fruit fly of approximately 35 square miles surrounding the South Pasadena area of Los Angeles County.

Title 3

California Code of Regulations

AMEND: 3417(b)

Filed 04/01/03

Effective 04/01/03

Agency Contact: Stephen Brown (916) 654-1017

DEPARTMENT OF HEALTH SERVICES**Medi-Cal Subacute Contracts**

The proposed amendment would delete the requirement that an application for licensure for subacute contracts contain evidence of no deficiencies in patient care and no Class AA, Class A or Class B citations in the previous 12 months. Instead the provision would require reporting of all deficiencies in patient care and all Class AA, Class A or Class B citations in the previous 12 months.

Title 22

California Code of Regulations

AMEND: 51215.6

Filed 04/01/03

Effective 04/01/03

Agency Contact:

Michelle L. Tedrow (916) 653-1747

DEPARTMENT OF SOCIAL SERVICES**CalWORKS Senior Parent/Minor Parent Cases—Income Availability Change**

This emergency regulatory action amends the rules for determining income availability for CalWORKS in those cases where a minor parent lives with a senior parent. This action is exempt from OAL review pursuant to Section 67.5 of AB 444 (Chapter 1022, Stats of 2002).

Title MPP

California Code of Regulations

AMEND: 44-315, 89-201

Filed 03/27/03

Effective 03/31/03

Agency Contact:

Anthony J. Velasquez (916) 657-2586

DEPARTMENT OF SOCIAL SERVICES**Intercounty Collection of CalWORKS Overpayments and FW Overissuances**

This rulemaking action changes the procedure by which CalWORKS cash aid overpayments and food stamp overissuances are collected and recovered when recipients move from one county to another.

Title MPP

California Code of Regulations

AMEND: 40-187, 40-188, 40-190, 63-801

Filed 03/27/03

Effective 05/01/03

Agency Contact:

Anthony J. Velasquez (916) 657-2586

**DEPARTMENT OF TOXIC SUBSTANCES
CONTROL**

Manifest Discrepancies

This is the third readoption of emergency regulations implementing more stringent requirements for reporting discrepancies between manifests and actual deliveries of hazardous wastes for certain federally defined and classified explosives and poisonous materials.

Title 22

California Code of Regulations

AMEND: 66262.54, 66264.71, 66264.72,
66265.71, 66265.72, 66270.30

Filed 04/01/03

Effective 04/03/03

Agency Contact: Bonnie Amoruso (916) 322-2833

**DEPARTMENT OF TOXIC SUBSTANCES
CONTROL**

Private Site Management Performance Standards

The Private Site Management Program is a voluntary program created by Assembly Bill No. 1876 (Stats. 1995, ch. 820). This program is designed to allow the private sector to select a private site manager, to have limited State involvement at a low-threat hazardous substance release site, and to obtain a State designation that no further action is required or a State certification that the site has been premeditated. This regulatory action establishes performance standards for private site managers, who must be Registered Environmental Assessors Class II, and private site management team members.

Title 22

California Code of Regulations

ADOPT: 69000, 69000.5, 69001, 69002, 69003,
69004, 69005, 69006, 69007, 69008, 69009, 69010,
69011, 69012, 69013

Filed 03/26/03

Effective 04/25/03

Agency Contact: Joan Ferber (916) 322-6409

**EMPLOYMENT DEVELOPMENT DEPARTMENT
Taxable Value of Meals and Lodging**

In this regulatory action, the Employment Development Department amends its unemployment insurance regulations pertaining to the taxable value of meals and lodging furnished to employees by employers. This taxable value is used in determining employee "wages," the basis for unemployment insurance contributions.

Title 22

California Code of Regulations

AMEND: 926-3, 926-4, 926-5

Filed 04/01/03

Effective 04/01/03

Agency Contact: Laura Colozzi (916) 654-7712

FAIR POLITICAL PRACTICES COMMISSION

**SEI s (Members of Boards or Commissions of Newly
Created Agencies)**

The Fair Political Practices Commission adds this new section dealing with Statements of Economic Interests (SEIs) for members of boards or commissions of newly created agencies.

Title 2

California Code of Regulations

ADOPT: 18754

Filed 03/27/03

Effective 03/27/03

Agency Contact:

Lawrence T. Woodlock (916) 322-5660

FISH AND GAME COMMISSION

Deeper Water Nearshore Species Permits

This regulatory action establishes a new permit for the commercial taking of any of eight species of deeper nearshore fish, defines past participation qualification requirements, and specifies a fee of \$125 for the permit.

Title 14

California Code of Regulations

AMEND: 150.02, 150.04

Filed 03/26/03

Effective 03/26/03

Agency Contact: John M. Duffy (916) 653-4899

FISH AND GAME COMMISSION

Big Game License Tag Drawing

This action changes the method for conducting the drawing of big game license tags to a modified preference point system.

Title 14

California Code of Regulations

AMEND: 708

Filed 03/27/03

Effective 04/26/03

Agency Contact: John M. Duffy (916) 653-4899

FISH AND GAME COMMISSION

Spot Prawn Trawl fishing

The regulatory action amends sections 120 and 120.3 of Title 14 of the California Code of Regulations. The amendments prohibit the use of trawl nets for the take of spot prawns and disallows the take of spot prawns as bycatch in the pink shrimp trawl fishery. The amendments are effective upon filing pursuant to Government Code section 11343.4, subdivision (c).

Title 14

California Code of Regulations

AMEND: 120, 120.3

Filed 03/26/03

Effective 03/26/03

Agency Contact: John M. Duffy (916) 653-4899

**OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD**

Portable Metal Ladders

This rulemaking incorporates by reference the latest ANSI standard for portable metal ladders.

Title 8

California Code of Regulations

AMEND: 3279, 3280

Filed 03/26/03

Effective 04/25/03

Agency Contact: Marley Hart (916) 274-5721

STATE PERSONNEL BOARD

Expedited Hearings

This regulatory action amends the procedures for an expedited hearing.

Title 2

California Code of Regulations

AMEND: 52.4

Filed 04/01/03

Effective 05/01/03

Agency Contact: Steve Unger (916) 651-8461

STATE WATER RESOURCES CONTROL BOARD

Laws Governing Adjudicative Proceedings

This rulemaking action clarifies that new Article 16 (of Chapter 4.5, Part 1, Division 3, Title 2, Government Code), entitled "Administrative Adjudication Code of Ethics," will not apply to Water Board presiding officers, i.e., state and regional water board members.

Title 23

California Code of Regulations

AMEND: 648

Filed 04/01/03

Effective 05/01/03

Agency Contact: Tim Regan (916) 341-5172

STATE WATER RESOURCES CONTROL BOARD

Hazardous Waste

This filing without regulatory effect updates a cross-reference to a chapter and division cited in a Title 22 regulation defining "hazardous waste."

Title 23

California Code of Regulations

AMEND: 2521

Filed 04/01/03

Effective 04/01/03

Agency Contact: Tim Regan (916) 341-5172

**CCR CHANGES FILED WITH THE
SECRETARY OF STATE
WITHIN NOVEMBER 27, 2002
TO APRIL 2, 2003**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulation's titles, then by date filed with the

Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 1

01/21/03 REPEAL: 121, 122, 123, 124, 125, 125.5, 126, 127, 128, Appendix A

Title 2

04/01/03 AMEND: 52.4

03/27/03 ADOPT: 18754

03/24/03 AMEND: 321

02/27/03 ADOPT: 1859.2, AMEND: 1859.2, 1859.20, 1859.21, 1859.74.2, 1859.74.3, 1859.74.4, 1859.75, 1859.75.1, 1859.78.3, 1859.79, 1859.81.1, 1859.83, 1859.107, 1859.145

02/25/03 REPEAL: 18707.3

02/24/03 AMEND: 18312

02/24/03 ADOPT: 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445

02/19/03 AMEND: 1859.79, 1859.79.3, 1859.81.1, 1859.83, 1859.107

02/18/03 AMEND: 18991

02/18/03 AMEND: 18704.2

02/13/03 AMEND: 1859.77.2

02/13/03 ADOPT: 1859.160, 1859.161, 1859.162, 1859.162.1, 1859.163, 1859.164, 1859.164.1, 1859.165, 1859.166, 1859.166.1, 1859.167, 1859.168, 1859.169, 1859.170, 1859, 171 AMEND: 1859.2, 1859.51, 1859.103, 1859.106, 1859.145.1

02/11/03 AMEND: 1555

02/11/03 AMEND: 1897

02/06/03 ADOPT: 50

02/06/03 ADOPT: 1859.74.5, 1859.74.6, 1859.81.2, 1859.81.3, 1859.105.2 AMEND: 1859.2, 1859.74, 1859.76, 1859.77.1, 1859.81.1, 1859.90, 1859.103, 1859.104

02/03/03 AMEND: 649.11

02/03/03 ADOPT: 649.23, 649.24, 649.25

01/30/03 ADOPT: 18530.2

01/16/03 AMEND: 18700

01/16/03 AMEND: 18705.1

01/16/03 ADOPT: 1859.71.2, 1859.78.4, 1859.108 AMEND: 1859.50, 1859.70, 1859.72, 1859.73.1, 1859.73.2, 1859.74.1, 1859.75.1, 1859.76, 1859.78.2, 1859.79.3, 1859.81, 1859.81.1, 1859.82, 1859.100, 1859.101, 1859.102, 1859.107

01/16/03 AMEND: 18703.4, 18730, 18940.2, 18942.1, 18943
 01/16/03 ADOPT: 18545
 01/13/03 ADOPT: 1866.4.1, 1866.4.2, 1866.4.3, 1866.4.4, 1866.4.6, 1866.4.7, 1866.5.1, 1866.5.2, 1866.5.4, 1866.5.5, 1866.5.6, 1866.5.7, 1866.5.8, 1866.9.1, 1866.12, 1866.13, 1866.14 AMEND: 1866, 1866.1, 1866.2, 1866.3, 1866.4, 1866.5, 1866.5.3, 1866.7, 1866.8, 186
 01/08/03 ADOPT: 18535
 12/19/02 ADOPT: 1859.200, 1859.201, 1859.202, 1859.203, 1859.204, 1859.205, 1859.206, 1859.207, 1859.208, 1859.209, 1859.210, 1859.211, 1859.212, 1859.213, 1859.214, 1859.215, 1859.216, 1859.217, 1859.218, 1859.218, 1859.219, 1859.220,
 12/17/02 ADOPT: 599.723.2
 12/10/02 ADOPT: 58700

Title 3

04/01/03 AMEND: 3417(b)
 03/26/03 ADOPT: 797
 03/20/03 AMEND: 3700(c)
 02/06/03 ADOPT: 3650, 3651, 3652, 3653, 3654, 3655, 3656, 3657, 3658, 3659, 3660, 3661, 3662, 3663, 3663.5
 02/03/03 AMEND: 3700(c)
 01/28/03 AMEND: 3417(b)
 01/27/03 AMEND: 3700(C)
 01/21/03 ADOPT: 6450, 6450.1, 6450.2, 6450.3, 6784 AMEND: 6000 REPEAL: 6450, 6450.1, 6450.2, 6450.3, 6784
 01/06/03 AMEND: 1380.19(l), 1428.17, 1436.37
 12/24/02 ADOPT: 1392.12
 12/12/02 AMEND: 3417(b)
 12/12/02 AMEND: 3417(b)
 12/12/02 AMEND: 3423(b)
 12/10/02 AMEND: 3700(b)
 12/05/02 AMEND: 6550
 12/03/02 AMEND: 6622
 12/02/02 AMEND: 3423(b)
 12/02/02 AMEND: 1392.1, 1392.2, 1392.4, 1392.9.1

Title 4

03/06/03 AMEND: 8072, 8074
 02/13/03 ADOPT: 10151, 10152, 10153, 10154, 10155, 10156, 10157, 10158, 10159, 10160, 10161, 10162
 01/27/03 ADOPT: 12300, 12301, 12302, 12303, 12304, 12305, 12306, 12307, 12308, 12309, 12310 AMEND: 12300, 12301, 12302, 12303, 12304, 12305, 12306, 12307, 12308, 12309, 12310
 12/12/02 ADOPT: 12100, 12101, 12104, 12105, 12120, 12122, 12124, 12126, 12128, 12130, 12132, 12140, 12142

12/05/02 ADOPT: 12309, 12310 AMEND: 12300, 12301, 12302, 12303, 12305

Title 5

03/18/03 AMEND: 20438, 20440
 02/24/03 AMEND: 18301
 01/30/03 AMEND: 80043
 01/29/03 AMEND: 31000, 31001, 31003, 31004, 31005, 31006, 31007
 01/27/03 ADOPT: 42397, 42397.1, 42397.2, 42397.3, 42397.4, 42397.5, 42397.6, 42397.7, 42397.8, 42397.9, 42397.10, 42397.11
 01/16/03 ADOPT: 9531, 9532
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